Rev. 02/22/19 Rev 12/01/18

UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF PENNSYLVANIA

In Re:			
Andres C. Pinedo		Chapter:	13
		Case No.:	5:19-02045
	Debtor(s)		
	NO	TICE	

NOTICE

Debtor(s) at the following date, tir	ne, and location:
Date: 08/28/2019	Time: <u>09:30 am</u>
Location: 197 S Main St, Courtroo	m #2, Max Rosenn US Courthouse, Wilkes-Barre, PA 18701

The deadline for filing objections to confirmation of the Plan is: 08/21/2019

For cases before the Hon. Robert N. Opel, II (indicated in the Case No. with the initials "RNO" respectively):

Any objections to confirmation of the Plan will be heard at the above-scheduled confirmation hearing. Counsel should be prepared to proceed on any unresolved objections to the Plan at this time.

For cases before the Hon. Henry W. Van Eck (indicated in the Case No. with the initials "HWV"):

Evidentiary hearings will not be conducted at the time of the confirmation hearing. If it is determined at the confirmation hearing that an evidentiary hearing is required, an evidentiary hearing will be scheduled for a future date.

A copy of the Plan is enclosed with this Notice. A copy may also be obtained from the case docket through PACER or from the Bankruptcy Clerk's Office.

Requests to participate in a hearing telephonically shall be made in accordance with Local Bankruptcy Rule 9074-1(a).

Date: 07/22/2019	Filed by:	s/Mark E. Moulton, Esquire

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Trustee to date). Debtor shall pay to the Trustee for the remaining term of the plan the following payments. If applicable, in addition to monthly plan payments, Debtor shall make conduit payments through the Trustee as set forth below. The total base plan is \$20,673.00 plus other payments and property stated in §1B below:

Start mm/yyyy	End mm/yyyy	Plan Payment	Estimated Conduit Payment	Total Monthly Payment	Total Payment Over Plan Tier
06/19	08/19	344.55	-0-	344.55	1,033.65
09/19	05/24	309.25	-0-	309.25	17,627.25
				Total Payments:	18,660.90

- 2. If the plan provides for conduit mortgage payments, and the mortgagee notifies the Trustee that a different payment is due, the Trustee shall notify the Debtor and any attorney for the Debtor, in writing, to adjust the conduit payments and the plan funding. Debtor must pay all post-petition mortgage payments that come due before the initiation of conduit mortgage payments.
- 3. Debtor shall ensure that any wage attachments are adjusted when necessary to conform to the terms of the plan.
- 4. CHECK ONE:
 - Debtor is at or under median income.

B. Additional Plan Funding From Liquidation of Assets/Other

 The Debtor estimates that the liquidation value of this estate is \$ 0. (Liquidation value is calculated as the value of all non-exempt assets after the deduction of valid liens and encumbrances and before the deduction of Trustee fees and priority claims.)

Check one of the following two lines.

✓ No assets will be liquidated.

110 455015 1111 51

2. SECURED CLAIMS.

A. Pre-Confirmation Distributions. Check one.

▼ None

LOCAL BANKRUPTCY FORM 3015-1

IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

Andres C. Pinedo

CASE NO.: 5-bk-19-2045

ORIGINAL PLAN

1st AMENDED PLAN (Indicate 1st, 2nd, 3st, etc.)

1 Number of Motions to Avoid Liens

0 Number of Motions to Value Collateral

CHAPTER 13 PLAN

NOTICES

Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked or if neither box is checked, the provision will be ineffective if set out later in the plan.

1	The plan contains nonstandard provisions, set out in § 9, which are not included in the standard plan as approved by the U.S. Bankruptey Court for the Middle District of Pennsylvania.	X Included	□ Not Included
2	The plan contains a limit on the amount of a secured claim, set out in § 2.E, which may result in a partial payment or no payment at all to the secured creditor.	X Included	□ Not Included
3	The plan avoids a judicial lien or nonpossessory, nonpurchase- money security interest, set out in § 2.G	□ Included	X Not Included

YOUR RIGHTS WILL BE AFFECTED

READ THIS PLAN CAREFULLY. If you oppose any provision of this plan, you must file a timely written objection. This plan may be confirmed and become binding on you without further notice or hearing unless a written objection is filed before the deadline stated on the Notice issued in connection with the filing of the plan.

1. PLAN FUNDING AND LENGTH OF PLAN.

A. Plan Payments From Future Income

1. To date, the Debtor paid \$ 689.10 (enter \$0 if no payments have been made to the

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B. Mortgages (Including Claims Secured by Debtor's Principal Residence) and Other Direct Payments by Debtor. Check one.

X Payments will be made by the Debtor directly to the creditor according to the original contract terms, and without modification of those terms unless otherwise agreed to by the contracting parties. All liens survive the plan if not avoided or paid in full under the plan.

Name of Creditor	Description of Collateral	Last Four Digits of Account Number
Mr. Cooper	137 Maria Lane, Dingmans Ferry	6678
Citizens One Financial	2015 Ford Mustang	2914

C. Arrears (Including, but not limited to, claims secured by Debtor's principal residence). Check one.

None None

X The Trustee shall distribute to each creditor set forth below the amount of arrearages in the allowed claim. If post-petition arrears are not itemized in an allowed claim, they shall be paid in the amount stated below. Unless otherwise ordered, if relief from the automatic stay is granted as to any collateral listed in this section, all payments to the creditor as to that collateral shall cease, and the claim will no longer be provided for under § 1322(b)(5) of the Bankruptcy Code

Name of Creditor	Description of Collateral	Estimated Pre-petition Arrears to be Cured	Estimated Postpetition Arrears to be Cured	Estimated Total to be paid in plan
Mr. Cooper	137 Maria Lane	13,211.00	-0-	13,211.00

D. Other secured claims (conduit payments and claims for which a § 506 valuation is not applicable, etc.)

☐ Nor

X The claims below are secured claims for which a § 506 valuation is not applicable, and can include: (1) claims that were either (a) incurred within 910 days of the petition date and secured by a purchase money security

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nterest in a motor vehicle acquired for the personal use of the Debtor, or (b) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value; (2) conduit payments; or (3) secured claims not provided for elsewhere.

- 1. The allowed secured claims listed below shall be paid in full and their liens retained until the earlier of the payment of the underlying debt determined under nonbankruptcy law or discharge under §1328 of the Code
- 2. In addition to payment of the allowed secured claim, present value interest pursuant to 11 U.S.C. §1325(a)(5)(B)(ii) will be paid at the rate and in the amount listed below, unless an objection is raised. If an objection is raised, then the court will determine the present value interest rate and amount at the confirmation hearing
- 3. Unless otherwise ordered, if the claimant notifies the Trustee that the claim was paid, payments on the claim shall cease

Name of Creditor	Description of Collateral	Principal Balance of Claim	Interest Rate	Total to be Paid in Plan
PA Dept. Revenue	137 Maria Lane	972.05	6.0	972.05

E. Secured claims for which a § 506 valuation is applicable. Check one.

☐ None

Claims listed in the subsection are debts secured by property not described in § 2.D of this plan. These claims will be paid in the plan according to modified terms, and liens retained until the earlier of the payment of the underlying debt determined under nonbankruptcy law or discharge under §1328 of the Code. The excess of the creditor's claim will be treated as an unsecured claim. Any claim listed as "\$0.00" or "NO VALUE" in the "Modified Principal Balance" column below will be treated as an unsecured claim. The liens will be avoided or limited through the plan or Debtor will file an adversary or other action (select method in last column). To the extent not already determined, the amount, extent or validity of the allowed secured claim for each claim listed below will be determined by the court at the confirmation hearing. Unless otherwise ordered, if the claimant notifies the Trustee that the claim was paid, payments on the claim shall cease.

Name of Creditor	Estimated Total Payment
PA Dept Of Revenue	110.45

C. Domestic Support Obligations assigned to or owed to a governmental unit

under 11 U.S.C. §507(a)(1)(B). Check one of the following two lines.

4. UNSECURED CLAIMS.

- Remaining allowed unsecured claims will receive a pro-rata distribution of funds remaining after payment of other classes.
- 5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES. Check one of the following
 - None.
- 6. VESTING OF PROPERTY OF THE ESTATE.

Property of the estate will vest in the Debtor upon

Check the applicable line:

- X plan confirmation
- ☐ entry of discharge ☐ closing of case
- 7. DISCHARGE: (Check one)
 - X The debtor will seek a discharge pursuant to § 1328(a).
 - ☐ The debtor is not eligible for a discharge because the debtor has previously received a discharge described in § 1328(f).

8. ORDER OF DISTRIBUTION:

If a pre-petition creditor files a secured, priority or specially classified claim after the bar date, the Trustee will treat the claim as allowed, subject to objection by the

Payments from the plan will be made by the Trustee in the following order:

- Level 1: Adequate protection payments
- Level 2: Debtor's attorney's fees
- Level 3: Domestic Support Obligations

Principa	al)	Action
ne, ry 2 nd NO VALU	JE	PLAN

F. Surrender of Collateral. Check one.

▼ None

G. Lien Avoidance. Do not use for mortgages or for statutory liens, such as tax liens. Check one.

3. PRIORITY CLAIMS

A. Administrative Claims

- Trustee's Fees. Percentage fees payable to the Trustee will be paid at the rate fixed by the United States Trustee
- Attorney's fees. Complete only one of the following options:
 - a. In addition to the retainer of \$1,200.00 already paid by the Debtor, the amount of \$ 1,800.00 in the plan. This represents the unpaid balance of the presumptively reasonable fee specified in L.B.R. 2016-2(c); or
 - b. \$ Enter text here per hour, with the hourly rate to be adjusted in accordance with the terms of the written fee agreement between the Debtor and the attorney. Payment of such lodestar compensation shall require a separate fee application with the compensation approved by the Court pursuant to L.B.R. 2016-2(b).
- Other. Other administrative claims not included in §§ 3.A.1 or 3.A.2 above. Check one of the following two lines.

✓ None

B. Priority Claims (including, certain Domestic Support Obligations

Allowed unsecured claims entitled to priority under § 1322(a) will be paid in full unless modified under §9

Level 4: Priority claims, pro rata.

Level 5: Secured claims, pro rata.

Level 6: Specially classified unsecured claims

Level 7: Timely filed general unsecured claims

Level 8: Untimely filed general unsecured claims to which the Debtor has not objected.

9. NONSTANDARD PLAN PROVISIONS.

Include the additional provisions below or on an attachment. Any nonstandard provision placed elsewhere in the plan is void. (NOTE: The plan and any attachment must be filed as one document, not as a plan and exhibit.)

- A. This Chapter 13 Plan ("this Plan") provides a distribution chart in Section 8 above that provides estimated distributions to classes of creditors and the estimated Trustee commission rate utilized in the calculations, in addition to all information indicated by the Model Plan
- B. The second lien position mortgage of Select Portfolio Serving Inc, its successors, predecessors and assigns, hereinafter referred to as "Lender", is being avoided via this Plan.
 - 1. Confirmation of this Plan shall constitute a finding that for purposes of this bankruptcy case and all matters relevant thereto the value of the real property known as 137 Maria Lane, PA 18328; Marcel Lake Estates POA, Dingmans Ferry, Pike County, PA, and the Deed for this property having been recorded with the Recorder of Deeds in and for Pike County, Pennsylvania at Pike County Deed Book Volume 1881, Page 658, hereinafter referred to as the "Property", is \$97,817.00. Documentation verifying this value is or will be filed of record with this Court.
 - 2. Upon confirmation of this Plan the entire balance owed to Lender shall be deemed a general unsecured claim without further Order of this Court, provided that:
 - (a) Lender's claim, upon the filing of a valid and timely Proof of Claim, shall be allowed as a non-priority general unsecured claim and may share in any distribution to general unsecured creditors.
 - (b) The avoidance of Lender's junior lien is contingent upon the Debtor's completion of the Chapter 13 Plan and receipt of a Final Decree after completion of all Plan Payments.
 - (c) Lender shall retain its lien for the full amount due under the subject loan should the property be sold or should a refinance take place prior to the completion of the Chapter 13 Plan and entry of a Final Decree.
 - (d) Lender shall retain its lien for the full amount due under the subject loan in the event of either the dismissal of the Debtor's Chapter 13 case or the conversion of the case to another Chapter under the United States Bankruptcy Code.
 - (e) In the event that any entity, including the holder of the first lien on the Property, forecloses on its security interest and extinguishes Lender's lier

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prior to the Debtor's completion of the Chapter 13 Plan, Lender's lien shall attach to the surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale.

3. The Confirmation Order and Final Decree may be filed with the Recorder of Deeds in and for **Pike County**, Pennsylvania, which shall satisfy and avoid the mortgage held by Lender against the Property, as recorded at **Pike County Record Book Volume 2029**, Page 601; assigned on February 22, 2016 and recorded at **Pike County Record Book Volume 2489**, Page 1683.

Dated: July 22, 2019

s/Mark E. Moulton Attorney for Debtor

s/ Andres C. Pinedo Debtor

By filing this document, the debtor, if not represented by an attorney, or the Attorney for Debtor also certifies that this plan contains no nonstandard provisions other than those set out in \S 9.

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UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: ANDRES C PINEDO

CASE NO: 19-02045

DECLARATION OF MAILING CERTIFICATE OF SERVICE

Chapter: 13

ECF Docket Reference No. 33

On 7/23/2019, I did cause a copy of the following documents, described below,

Pinedo Plan 1 sm w Notice ECF Docket Reference No. 33

to be served for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, with sufficient postage thereon to the parties listed on the mailing matrix exhibit, a copy of which is attached hereto and incorporated as if fully set forth herein.

I caused these documents to be served by utilizing the services of BK Attorney Services, LLC d/b/a certificateofservice.com, an Approved Bankruptcy Notice Provider authorized by the United States Courts Administrative Office, pursuant to Fed.R. Bankr.P. 9001(9) and 2002(g)(4). A copy of the declaration of service is attached hereto and incorporated as if fully set forth herein.

Parties who are participants in the Courts Electronic Noticing System ("NEF"), if any, were denoted as having been served electronically with the documents described herein per the ECF/PACER system.

DATED: 7/23/2019

/s/ Mark E. Moulton Mark E. Moulton 89064 Pin 02045 693 Route 739 Hawley, PA 18428 570 775 9525

UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: ANDRES C PINEDO

CASE NO: 19-02045

CERTIFICATE OF SERVICE DECLARATION OF MAILING

Chapter: 13

ECF Docket Reference No. 33

On 7/23/2019, a copy of the following documents, described below,

Pinedo Plan 1 sm w Notice ECF Docket Reference No. 33

were deposited for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, with sufficient postage thereon to the parties listed on the mailing matrix exhibit, a copy of which is attached hereto and incorporated as if fully set forth herein.

The undersigned does hereby declare under penalty of perjury of the laws of the United States that I have served the above referenced document (s) on the mailing list attached hereto in the manner shown and prepared the Declaration of Certificate of Service and that it is true and correct to the best of my knowledge, information, and belief.

DATED: 7/23/2019

Jay S. Jump

BK Attorney Services, LLC

d/b/a certificateofservice.com, for

Mark E. Moulton

Pin 02045

693 Route 739

Hawley, PA 18428

CASE INFO

LABEL MATRIX FOR LOCAL NOTICING CASE 5-19-BK-02045-RNO MIDDLE DISTRICT OF PENNSYLVANIA WILKES-BARRE TUE JUL 23 09-23-14 EDT 2019

ABS REO TRUST CO SELECT PORTFOLIO SERVICING INC HLADIK ONORATO FEDERMAN LLP PO BOX 65250 298 WISSAHICKON AVENUE PO BOX 65250 SALT LAKE CITY UT 84165-0250

DANIELLE BOYLE EBERSOLE NORTH WALES PA 19454-4156

CAC DEBT RECOVERY
2300 GETTYSBURG RD STE 102
CAMP HILL PA 17011-7303

CBL PATH
110 WASHINGTON AVE 2ND FL
NORTH HAVEN CT 06473-1723

CAPITAL ONE PO BOX 30285 SALT LAKE CITY UT 84130-0285

CAVALRY SPV I LLC CITIBANK S D CITIBANK S D 500 SUMMIT LAKE DRIVE STE 400 701 EAST 60TH STREET NORTH 701 EAST 60TH STREET NORTH VALHALLA NY 10595-2321 SIOUX FALLS SD 57104-0493 SIOUX FALLS SOUTH DAKOTA 57104-0493

CITIZENS BANK NA CITIZENS ONE AUTO FINANCE CITIZENS ONE AUTO FINANCE
ONE CITIZENS BANK WAY MAIL STOP JCA115 1 CITIZENS BANK WAY 1 CITIZENS BANK WAY
JOHNSTON RI 02919-1922 JOHNSTON RHODE ISLAND 0291 JOHNSTON RI 02919-1922

JOHNSTON RI 02919-1922

JOHNSTON RHODE ISLAND 02919-1922

COMMERCIAL ACCEPTANCE COMP
2300 GETTYSBURG RD STE 102
CAMP HILL PENNSYLVANIA 17011-7303

CAMP HILL PENNSYLVANIA 17011-7303

CAMP HILL PENNSYLVANIA 17011-7303

CHARLES J DEHART III TRUSTEE 8125 ADAMS DRIVE SUITE A HUMMELSTOWN PA 17036-8625

DELL FINANCIAL SERVICES P O BOX 81577 AUSTIN TX 78708-1577

DISCOVER BANK DISCOVER PRODUCTS INC PO BOX 3025 NEW ALBANY OH 43054-3025

DISCOVER CC PO BOX 3025 NEW ALBANY OH 43054-3025

PO BOX 23870 JACKSONVILLE FL 32241-3870 ASHLEE CRANE FOGLE RAS CRANE LLC 10700 ABBOTTS BRIDGE RD SUITE 170 DULUTH GA 30097-8461

GLOBAL PAYMENTS CHECK SERVICES LLC ATTN FB SUPPORT 6215 W HOWARD STREET NILES IL 60714-3403

HSBC BANK HSBC BANK
ATTN BANKRUPTCY DEPT PO BOX 4215 BUFFALO NEW YORK 14240-4215

HOME DEPOT ATTN LEGAL ATTN LEGAL
2455 PACES FERRY RD
ATLANTA GA 30339-6444 ATLANTA GA 30339-6444

HOME DEPOT ATTN LEGAL 2455 PACES FERRY RD ATLANTA GEORGIA 30339-6444

PITTSBURGH PA 15219-1842

BRIAN THOMAS LANGFORD

LAW OFFICES OF SHAPIRO DENARDO LLC

WELTMAN WEINBERG REIS CO LPA

3600 HORIZON DRIVE STE 150

PO BOX 8099

KING OF PRUSSIA PC 19406-4702

NEWARK DE 19714-8099

MLEPOA INC 103 LAKE DRIVE DINGMANS FERRY PA 18328-3127 MERCURY CARD SERVICES PO BOX 70168 PHILADELPHIA PA 19176-0168 MERRICK BANK PO BOX 660702 DALLAS TX 75266-0702

MET ED PO BOX 3687 AKRON OH 44309-3687 METEDFIRST ENERGY 101 CRAWFORDS CORNER RD BLDG 1 SUITE 1-511 HOLMDEL NJ 07733-1976

MIDLAND CREDIT MANAGEMENT 8875 AERO DRIVE STE 200 SAN DIEGO CALIFORNIA 92123-2255

MIDLAND CREDIT MANAGEMENT 8875 AERO DRIVE STE 200 SAN DIEGO CA 92123-2255

MIDLAND CREDIT MANAGEMENT INC MIGDALIA ESPINET
PO BOX 2037 137 MARIA LANE
WARREN MI 48090-2037 DINGMANS FERRY P WARREN MI 48090-2037

DINGMANS FERRY PA 18328-3088

MARK E MOULTON MOULTON AND MOULTON PC 693 STATE ROUTE 739 SUITE 1 LORDS VALLEY PA 18428-6083

MR COOPER 9850 CYPRESS WATERS BLVD COPPELL TX 75019

MR COOPER 9850 CYPRESS WATERS BLVD COPPELL TEXAS 75019

NEWTON MEMORIAL HOSP PO BOX 3129 SECAUCUS NJ 07096-3129

ORTON CO PRA RECEIVABLES MANAGEMENT LLC NORFOLK VA 23541-1021

PA DEPARTMENT OF REVENUE BANKRUPTCY DIVISION PO BOX 280946 HARRISBURG PA 17128-0946

PNP FINANCIAL MAANGEMENT SERVS 100 QUENTIN ROOSEVELT BLVD 204 GARDEN CITY NY 11530-4843 PRA RECEIVABLES MANAGEMENT LLC PO BOX 41021 NORFOLK VA 23541-1021 PENNSYLVANIA DEPARTMENT OF REVENUE BANKRUPTCY DIVISION PO BOX 280946 HARRISBURG PA 17128-0946

DEBTOR ANDRES C PINEDO 137 MARIA LANE

DINGMANS FERRY PA 18328-3088

PLAINS VOLUNTEER AMB 90 MAFFETT ST PLAINS PA 18705-1933

PLAINTS TWP AMBULANCE PO BOX 207 ALLENTOWN 18105-0207

PLEASANTDALE AMBULATORY CARE 61 MAIN STREETSTE D WEST ORANGE NJ 07052-5353

PLEASANTDALE AMBULATORY SERVICE PNP MANAGEMENT SERVICES LLC
61 MAIN STREET STE D 100 QUENTIN ROOSEVELT BLVD 204
WEST ORANGE NJ 07052-5353 GARDEN CITY NY 11530-4843

SPS PO BOX 65250 SALT LAKE CITY UT 84165-0250

SPS PO BOX 65250 SALT LAKE CITY UTAH 84165-0250

SPRINT NEXTEL CORRESPONDENCE ATTN BANKRUPTCY DEPT PO BOX 7949 OVERLAND PARK KS 66207-0949

SYNCHRONY BANK P O BOX 965004 ORLANDO FL 32896-5004 SYNCHRONY BANK
P O BOX 965004
ORLANDO FLORIDA 32896-5004

TJX REWARDSGEMB PO BOX 530948 ATLANTA GA 30353-0948

TJX REWARDSGEMB PO BOX 530948 ATLANTA GEORGIA 30353-0948 TOTAL CARD INC PO BOX 89725 SIOUX FALLS SD 57109-9725 TOYOTA FINANCIAL SERVICES BANKRUPTCY DEPARTMENT PO BOX 5855 5505 N CUMBERLAND AVE SUITE 307 CHICAGO ILLINOIS 60656-4761

TOYOTA MOTOR CREDIT CORPORATION PO BOX 8026 CEDAR RAPIDS IA 52408-8026

TOYOTA WORLD OF NEWTON 66 ROUTE 206 NEWTON NJ 07860

US BANK NATIONAL ASSOCIATION
NATIONSTAR MORTGAGE LLC DBA MR COOPER
ATTN- BANKRUPTCY DEPT
PO BOX 619096
DALLAS TX 75261-9096

US BANK NATIONAL ASSOCIATION RAS CRANE LLC 10700 ABBOTTS BRIDGE ROAD SUITE 170 DULUTH GA 30097-8461

US BANK NATIONAL ASSOCIATION AS TRUSTEE F RAS CRANE LLC 10700 ABBOTTS BRIDGE ROAD SUITE 170 DULUTH GA 30097-8461

UNITED STATES TRUSTEE

JAMES WARMBRODT 701 MARKET STREET SUITE 5000 PHILADEPHIA PA 19106-1541 WEST MILFORD PT 179 CAHILL CROSS RD STE 308 WEST MILFORD NJ 07480-1988